



DEVELOPMENT SERVICES DEPARTMENT
ENVIRONMENTAL COORDINATOR
450 110th Ave NE
BELLEVUE, WA 98009-9012

DETERMINATION OF NON-SIGNIFICANCE

PROPONENT: Alan Bohling

LOCATION OF PROPOSAL: 6208 Hazelwood LN. SE

DESCRIPTION OF PROPOSAL: Reconfiguration of an existing pier on Lake Washington to cover 480 square feet of water. The ell of the existing pier will be replaced with a 144 square-foot platform lift and a second boat lift will be added. Other in-water repair includes replacement of all wood piles with 12 steel piles. All decking will be open grating and native planting is proposed along the shoreline.

FILE NUMBERS: 19-109776-WG **PLANNER:** Reilly Pittman

The Environmental Coordinator of the City of Bellevue has determined that this proposal does not have a probable significant adverse impact upon the environment. An Environmental Impact Statement (EIS) is not required under RCW 43.21C.030(2)(C). This decision was made after the Bellevue Environmental Coordinator reviewed the completed environmental checklist and information filed with the Land Use Division of the Development Services Department. This information is available to the public on request.

- ☐ There is no comment period for this DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's office by 5:00 p.m. on _____.
- ☒ This DNS is issued after using the optional DNS process in WAC 197-11-355. There is no further comment period on the DNS. There is a 14-day appeal period. Only persons who submitted written comments before the DNS was issued may appeal the decision. A written appeal must be filed in the City Clerk's Office by 5 p.m. on **4/9/2020**
- ☐ This DNS is issued under WAC 197-11-340(2) and is subject to a 14-day comment period from the date below. Comments must be submitted by 5 p.m. on _____. This DNS is also subject to appeal. A written appeal must be filed in the City Clerk's Office by 5:00 p.m. on _____.

This DNS may be withdrawn at any time if the proposal is modified so as to have significant adverse environmental impacts; if there is significant new information indicating a proposals probable significant adverse environmental impacts (unless a non-exempt license has been issued if the proposal is a private project); or if the DNS was procured by misrepresentation or lack of material disclosure.

Heidi Bedwell, Environmental Planning MGR for
Elizabeth Stead, Land Use Director and

Environmental Coordinator

3/26/2020
Date

OTHERS TO RECEIVE THIS DOCUMENT:

- ☒ State Department of Fish and Wildlife
- ☒ State Department of Ecology, Shoreline Planner N.W. Region
- ☒ Army Corps of Engineers
- ☒ Attorney General
- ☒ Muckleshoot Indian Tribe



City of Bellevue
Development Services Department
Land Use Staff Report

Date of Receipt by Ecology:

**SHORELINE MANAGEMENT ACT
DECISION ON SHORELINE SUBSTANTIAL DEVELOPMENT PERMIT**

File Number:	19-109776-WG
Proposal Name:	Bohling Pier
Proposal Address and Location:	6208 Hazelwood Ln. SE
Water Body:	Lake Washington
Shoreline Environment Designation:	Shoreline Residential
Proposal Description:	Land Use review of a Shoreline Substantial Development Permit to reconfigure an existing residential pier. The existing pier covers 459 square feet of water and has one freestanding boatlift with a moorage cover. The pier will be reconfigured to cover 480 square feet of water. The ell of the existing pier will be replaced with a 144 square-foot platform lift and a second boat lift will be added. The existing boat lift and cover will remain in place. Other repairs include replacement of all wood piles with 12 steel piles and conversion of the pier deck surface to open grating. The proposal also includes the installation of native planting along the shoreline
Applicant: <input checked="" type="checkbox"/> Applicant owns property	Alan Bohling, 6208 Hazelwood LN. SE, Bellevue, WA 98006
Applicant Representative:	Evan Wehr, Ecco Design Inc, 203 N 36 th St, Ste. 201, Seattle, WA 98103, 206-706-3937, evan@eccodesigninc.com
Application Date:	April 4, 2019
Notice of Application Date:	May 9, 2019
Notice of Decision Date:	March 26, 2020

SEPA Determination:

Determination of Non-Significance

SEPA Appeal Deadline:

April 9, 2020

Heidi Bedwell, Environmental Planning MGR for
Elizabeth Stead, Environmental Coordinator
Development Services Department

Decision on SSDP:

Approval with Conditions

Michael A. Brennan, Director
Development Services Department

By: *Heidi Bedwell, Environmental Planning MGR for*
Reilly Pittman, Land Use Planner

The appeal period for a Shoreline Substantial Development Permit is 21 days from the "date of filing" with the Department of Ecology, as defined in RCW 90.58.140(6) and WAC 173-27-130. Appeal of the decision must be made to the Washington State Shoreline Hearings Board.

This permit is granted pursuant to the Shoreline Management Act of 1971 and nothing in this permit shall excuse the applicant from compliance with any other federal, state or local statutes, ordinances or regulations applicable to this project, but not inconsistent with the Shoreline Management Act (Chapter 90.58 RCW).

This permit may be rescinded pursuant to RCW 90.58.140(8) in the event the permittee fails to comply with the terms and conditions hereof. This permit approval will expire within two years of the date of filing unless the construction, use, or activity pursuant to this permit is commenced. Final expiration of this permit approval is five years from the date of filing. Request for extension of expiration is subject to LUC 20.25E.250.E.6.

Construction pursuant to this permit will not begin or is not authorized until twenty-one (21) days from the date of filing or until all review proceedings initiated within twenty-one (21) days from the date of such filing have terminated; except as provided in RCW 90.58.140(5) (A) (B) (C) (D).

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Attachments to this Decision

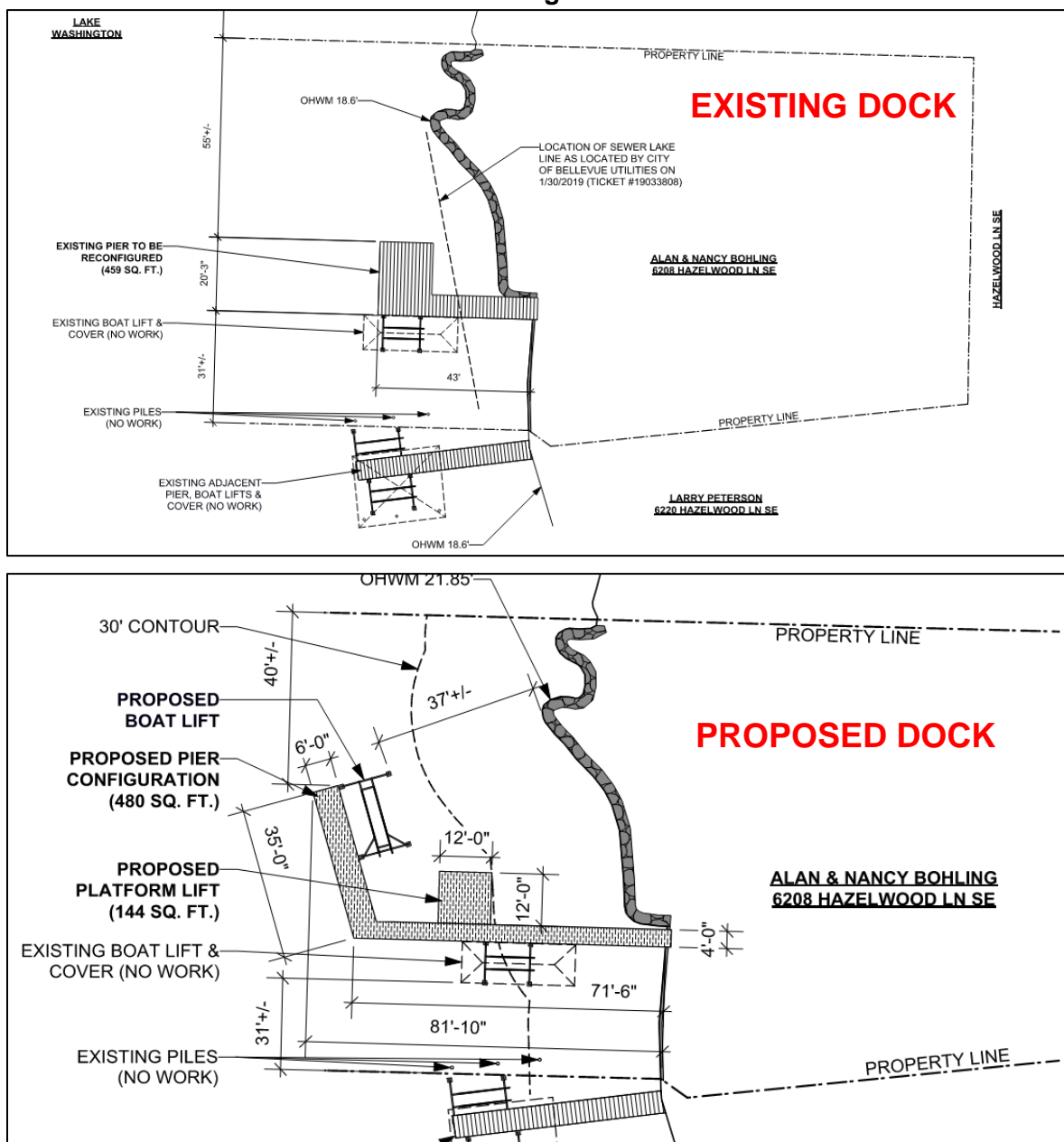
Project Plans
SEPA Determination of Non-Significance

See project file for all submitted documents and forms.

I. Proposal Description

The proposal is to reconfigure an existing pier associated with a single-family house located on a residentially zoned and developed property. The existing pier covers 459 square feet of water and has one freestanding boatlift with a moorage cover. The pier will be reconfigured to cover 480 square feet of water. The ell of the existing pier will be replaced with a 144 square-foot platform lift and a second boat lift will be added. The existing boat lift and cover will remain in place. Other repairs include replacement of all wood piles with 12 steel piles and conversion of the pier deck surface to open grating. The proposal also includes the installation of native planting along the shoreline. **See Attachment 1 for project plans and Figure 1 below for the existing and proposed dock.**

Figure 1



II. Site Description, Zoning, Land Use Context and Shoreline Environment and Functions

A. Site Description

The site is located on Lake Washington and has a shoreline environment designation of SR, Shoreline Residential. Describe existing pier and covered lift, shoreline condition (bulkhead, beach, vegetation etc. **See Figure 2 for existing site condition.**

Figure 2



B. Zoning and Land Use Context

The property is zoned R-5, a single-family residential zoning district. Surrounding properties are also zoned R-5 and developed with single-family residences and docks. The property has a Comprehensive Plan Land Use Designation of SF-H (Single Family High Density). The project is consistent with this land use designation.

C. Shoreline Environment and Functions

The site is in the Shoreline Residential shoreline environment designation.

Per LUC 20.25E.010, the shoreline residential environment is to accommodate single or multifamily residential development and appurtenant structures. A shoreline residential environment designation is assigned to Bellevue shorelands which are predominantly characterized by residential development or are planned for residential development and exhibit moderate to low levels of ecological functions because of historic shoreline modification activities.

Shorelines provide a variety of functions including shade, temperature control, water purification, woody debris recruitment, channel, bank and beach erosion, sediment delivery, and terrestrial-based food supply (Gregory et al. 1991; Naiman et al. 1993; Spence et al. 1996). Shorelines provide a wide variety of functions related to aquatic and riparian habitat, flood control and water quality, economic resources, and recreation,

among others. Each function is a product of physical, chemical, and biological processes at work within the overall landscape. In lakes, these processes take place within an integrated system (ecosystem) of coupled aquatic and riparian habitats (Schindler and Scheuerell 2002). Hence, it is important to have an ecosystem approach which incorporates an understanding of shoreline functions and values.

III. Consistency with Land Use Code Requirements

A. Zoning District Dimensional Requirements:

No upland structures are proposed that are subject to zoning requirements.

B. Shoreline Overlay District LUC 20.25E.065:

The property has frontage along Lake Washington and is within the Shoreline Overlay District which regulates areas within 200-feet of the Ordinary High Water Mark of shorelines identified in LUC 20.25E and the City's Shoreline Master Program. The Shoreline Overlay District regulations (LUC 20.25E) allow residential moorage facilities provided the applicable performance standards in LUC 20.25E.065 are met.

i. Consistency with LUC 20.25E.065.H

Each application for a new or reconfigured residential dock shall comply with the requirements in LUC 20.25E.065.H.4 or as amended by approval from the US Army Corps of Engineers under Section 404 or Section 10 or by the Washington Department of Fish and Wildlife HPA as follows:

Dock Location: Lake Washington		
Development Standard	Required by LUC 20.25E.065	Proposed Standards
Number of Docks Allowed	1 per residential lot	1 proposed
Dock Side Setback	10' or as established per mutual agreement	Complies
Maximum Dock Length	150'	Complies
Maximum Dock Size	480 square feet	480 square feet
Maximum Walkway Width	4' within 30' of OHWM 6' beyond 30' from OHWM	4' within 30' of OHWM 6' beyond 30' from OHWM
EII Location vs Depth	30' waterward of OHWM or at least 9' of water depth	Complies

Mooring Piles	2 per lot	None Proposed
Decking	Grated	Open Grating Proposed
Number of Lifts	4 allowed per lot	3 Lifts Total (2 new, one existing)

ii. General Requirements Applicable to all Residential Docks

- a. **Dock Materials.** Environmentally neutral materials approved by the Environmental Protection Agency for use in aquatic environments shall be used. No materials treated with known toxic preservatives is allowed. Dock materials shall not be treated with pentachlorophenol, creosote, chromate copper arsenate (CCA) or comparably toxic compounds. Preservative and surface treatments are limited to products approved for use in aquatic environments and must be applied according to label directions. Construction hardware that comes into contact with water either directly, or through precipitation that causes discharges either directly or indirectly into surface waters shall not be susceptible to dissolution by corrosion.
- b. **Dock Lighting.** Dock lighting for the purpose of illuminating the dock surface for safety is allowed when the illuminating fixtures are limited to the minimum height necessary above the dock surface, or screened to provide the intended function of walkway illumination, without allowing light emissions to spill outside of the dock surface.

Finding: The proposal will comply with dock material requirements and all piles are proposed to be steel. No lighting is proposed. The submitted project description and code narrative states the requirements for dock materials and lighting will be met. **See Conditions of Approval regarding building permit submittal in Section X of this report.**

IV. Public Notice and Comment

Application Date: April 4, 2019
Public Notice Date: May 9, 2019
30-Day Comment Period End: June 10, 2019

The Notice of Application for this project was published in the City of Bellevue weekly permit bulletin on May 9, 2019. It was mailed to property owners within 500 feet of the project site. Comments were received from the Department of Ecology regarding the proposed dock and deviation of dock standards through approval by the US Army Corps. DOE commented that while deviation from the proscriptive dock standards in LUC 20.25E.065.H is allowed, that the

deviation is not subject to the presumption of no net loss of ecological function that applies to projects following the proscriptive standards of LUC 20.25E. The dock was revised to comply with the dock standards of LUC 20.25E.065.H to ensure the maximum overwater coverage is 480 square feet and all other dock standards are in compliance and do not require deviation through US Army Corps approval. The changes to the proposed dock address the comments from DOE and ensure the proposed dock is presumed to have no net loss of ecological function and does not require mitigation.

V. Summary of Technical Reviews

A. Clearing and Grading

The Clearing and Grading Division of the Development Services Department has reviewed the proposed site development for compliance with Clearing and Grading codes and standards and approved the application. Clearing and Grading review will be required under the future building permit.

B. Utilities

The Utilities Department has reviewed the proposed site development for compliance with Utility codes and standards and approved the application.

VI. State Environmental Policy Act (SEPA)

The environmental review indicates no probability of significant adverse environmental impacts occurring as a result of the proposal. The Environmental Checklist submitted with the application adequately discloses expected environmental impacts associated with the project. The City codes and requirements, including the Clear and Grade Code, Utility Code, Land Use Code, Noise Ordinance, Building Code and other construction codes are expected to mitigate potential environmental impacts. Therefore, issuance of a Determination of Non-Significance (DNS) is the appropriate threshold determination under the State Environmental Policy Act (SEPA) requirements.

A. Earth, Air, and Water

No dredging, withdrawals, diversions, or discharges are anticipated from the proposed construction. Twelve steel piles are proposed to support the reconfigured dock. The proposal is subject to applicable sediment control requirements as required by clearing and grading review.

B. Animals

Chinook salmon, bull trout, and steelhead are found in Lake Washington. Provided that it meets City standards, the removal and installation of piles and reconfiguration of the pier is allowed. The entire dock is proposed to be fully grated which will allow for increased light penetration. Fish species and their habitat will be protected during the project construction through the timing of in-water work. The applicant will be required to receive State and

Federal permit approval and all in-water work is required to occur within the construction window as established by the agencies to minimize or avoid impacts to fish and wildlife. **See Conditions of Approval regarding in-water work and additional agency permitting in Section X of this report**

C. Plants

No vegetation will be disturbed as part of the proposal and planting is proposed along the shoreline consisting of trees and shrubs as found on the submitted plans as attachment 1, to comply with USACE permit requirements.

VII. Changes to Proposal Due to Staff Review

The applicant changed the plans to comply with the proscriptive dock standards in LUC 20.25E.065.H in response to the comments received from the Department of Ecology.

VIII. Decision Criteria

LUC 20.25E.160.D Shoreline Substantial Development Permit – Decision Criteria

The Director may approve, or approve with modifications a Shoreline Substantial Development Permit if:

- 1. The proposal is consistent with the policies and procedures of the Shoreline Management Act;**
Finding: As evaluated, the proposal is consistent with applicable policies and procedures of the Shoreline Management Act (SMA). The SMA includes broad policies that give priority to water-dependent uses and activities and single-family residences are specifically identified as a preferred use.
- 2. The proposal is consistent with the provisions of Chapter 173-27 WAC;**
Finding: The proposal is consistent with 173-27 WAC.
- 3. The proposal is consistent with the SMP;**
Finding: As evaluated in Section III of this report, the applicant has submitted project plans that demonstrate the proposal's consistency with the policies and procedures of the Shoreline Management Program (SMP).
- 4. The proposal will be served by adequate public facilities including streets, fire protection, and utilities;**
Finding: The proposed dock reconfiguration does not alter existing service of public facilities to the property.
- 5. The proposal is consistent with the Bellevue Comprehensive Plan;**
Finding: Shoreline Management Goal 6. To recognize existing residential uses and to regulate new residential construction within the intent of shoreline policies.

The proposal is consistent with the City of Bellevue Shoreline Comprehensive Plan policies SH 16, and SH-18.

POLICY SH-16. *Discourage structures using materials which have significant adverse physical or chemical effects on water quality, vegetation, fish, and wildlife in or near the water.*

POLICY SH-18. *Give preference to residential and water dependent, water-enjoyment, and water-related uses (in that order) when the use, activity, or development preserves shoreline ecological functions and processes or, where necessary, mitigates impacts to water quality, fish and wildlife habitat, and other shoreline functions*

The proposed dock is consistent with this goal in the allow residential use of the shoreline and will be constructed with materials suitable for in-water construction and would not have an adverse effect on water quality, vegetation, fish, and wildlife in or near the water.

6. The proposal complies with applicable requirements of the Bellevue City Code.

Finding: As identified in Section III of this report the applicant has submitted project plans that demonstrate the proposal's compliance with the applicable City of Bellevue Codes and Standards.

IX. Conclusion and Decision

After conducting the various administrative reviews associated with this proposal, including Land Use Code consistency, SEPA, City Code and Standard compliance reviews, the Director of the Development Services Department does hereby **approve with conditions** the reconfiguration of the existing pier at 6208 Hazelwood LN. SE. **Approval of this Shoreline Substantial Development Permit does not constitute a permit for construction. A building permit is required and all plans are subject to review for compliance with applicable City of Bellevue codes and standards.**

Note- Expiration of Approval: In accordance with LUC 20.25E.250, the Shoreline Substantial Development Permit automatically expires and is void if the applicant fails to commence construction, use, or activity granted by the shoreline permit within two years of the effective date of the permit unless the applicant has received an extension for the Shoreline Substantial Development Permit pursuant to LUC 20.25E.250.

Permit authorization expires finally, despite commencement of construction, five years after the effective date of the Shoreline Substantial Development Permit unless the applicant has received an extension pursuant to LUC 20.25E.250.

X. Conditions of Approval

The applicant shall comply with all applicable Bellevue City Codes and Ordinances including but not limited to:

Applicable Ordinances	Contact Person
Clearing and Grading Code- BCC 23.76	Savina Uzunow, 425-452-7860
Utilities – BCC Title 24	Jeremy Rosenlund, 425-452-7683
Land Use Code- BCC Title 20	Reilly Pittman, 425-452-4350
Noise Control- BCC 9.18	Reilly Pittman, 425-452-4350

The following conditions are imposed under the Bellevue City Code or SEPA authority referenced:

- 1. Building Permit Required:** Approval of this Shoreline Substantial Development Permit does not constitute an approval of a building permit. Application for a building permit must be submitted and approved. Plans submitted as part of the building permit application shall be consistent with the activity permitted under this approval.

Authority: Land Use Code 20.25E.160

Reviewer: Reilly Pittman, Development Services Department

- 2. Federal and State Permits:** Federal and state water quality standards shall be met. All required federal and state permits and approvals must be received by the applicant prior to commencement of any work.

Authority: Land Use Code 20.25E.065

Reviewer: Reilly Pittman, Development Services Department

- 3. In-Water Work Window:** The US Army Corps of Engineers regulates work windows for when work can occur in Lake Washington. The allowed work window where work can occur in water for this property is from July 16th to April 30th, subject to change by US Army Corps regulation. No work may occur between May 1 through July 15th.

Authority: Land Use Code 20.25E.160

Reviewer: Reilly Pittman, Development Services Department



MICHAEL & GINA OLDHAM
6039 HAZELWOOD LN SE

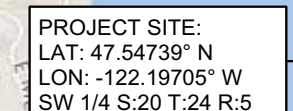
SE 62ND ST
STREET END

ALAN & NANCY BOHLING
6208 HAZELWOOD LN SE

LARRY PETERSON
6220 HAZELWOOD LN SE



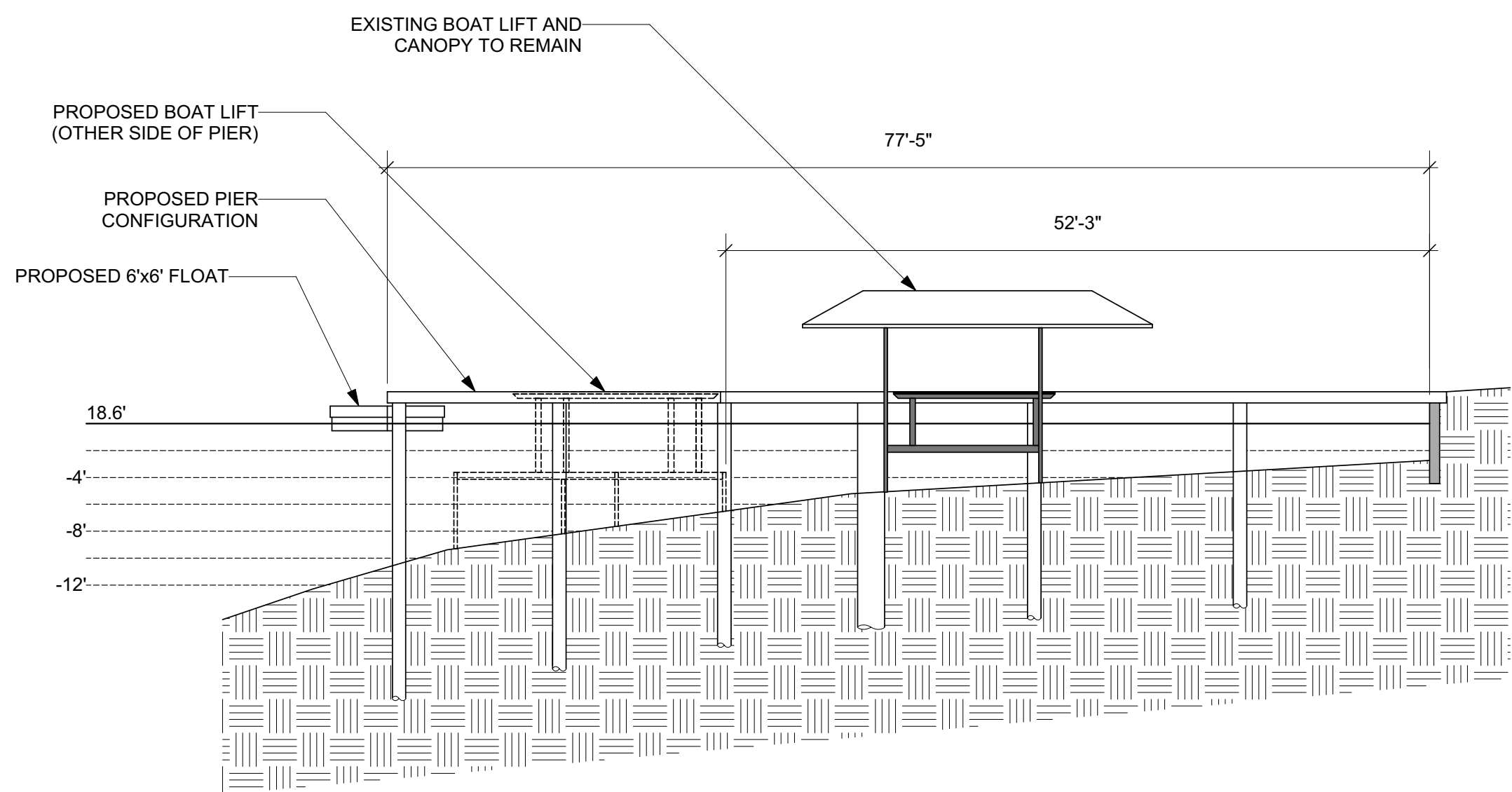
PROJECT DESCRIPTION:
 RECONFIGURE AN EXISTING PIER. THE EXISTING PIER
 CONFIGURATION IS 459 SQ. FT. AND THE PROPOSED
 CONFIGURATION IS 664 SQ. FT. THE ENTIRE PIER WILL BE
 RE-DECKED WITH THRUFLOW GRATED DECK (42% OPEN SPACE).
 FIVE EXISTING WOOD PILES WILL BE REPLACED BY THREE STEEL
 PILES AND SIX NEW STEEL PILES WILL BE INSTALLED FOR A PIER
 EXTENSION. INSTALL A GRATED FLOAT (36 SQ. FT.). INSTALL A
 NEW BOAT LIFT. PLANT NATIVE VEGETATION PER THE PLANTING
 PLAN.



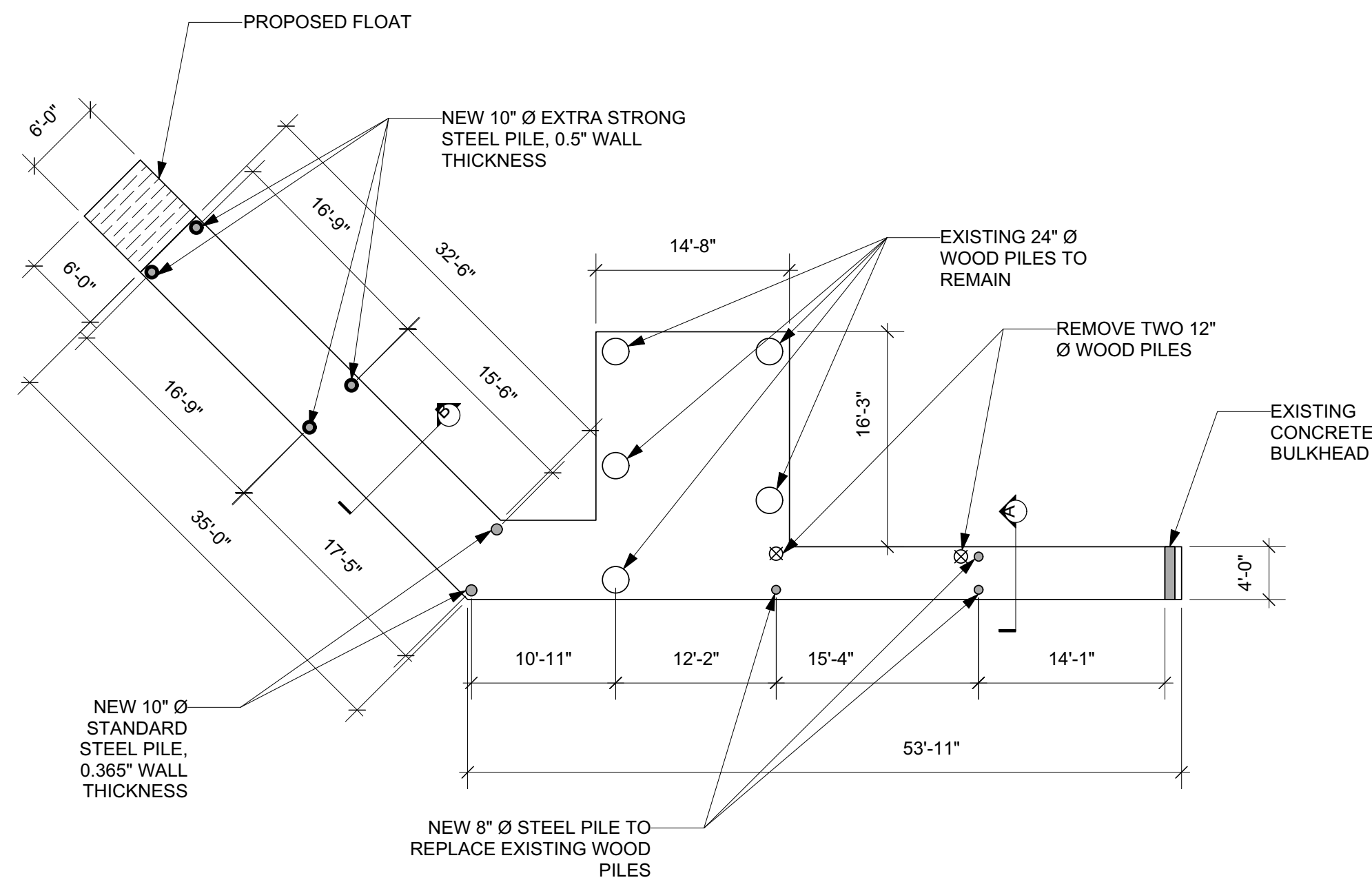
Architecture & Design
203 N 36th Street, Ste. 201
Seattle, WA 98103

BOHLING PIER
6208 HAZELWOOD LN SE
BELLEVUE, WA 98006

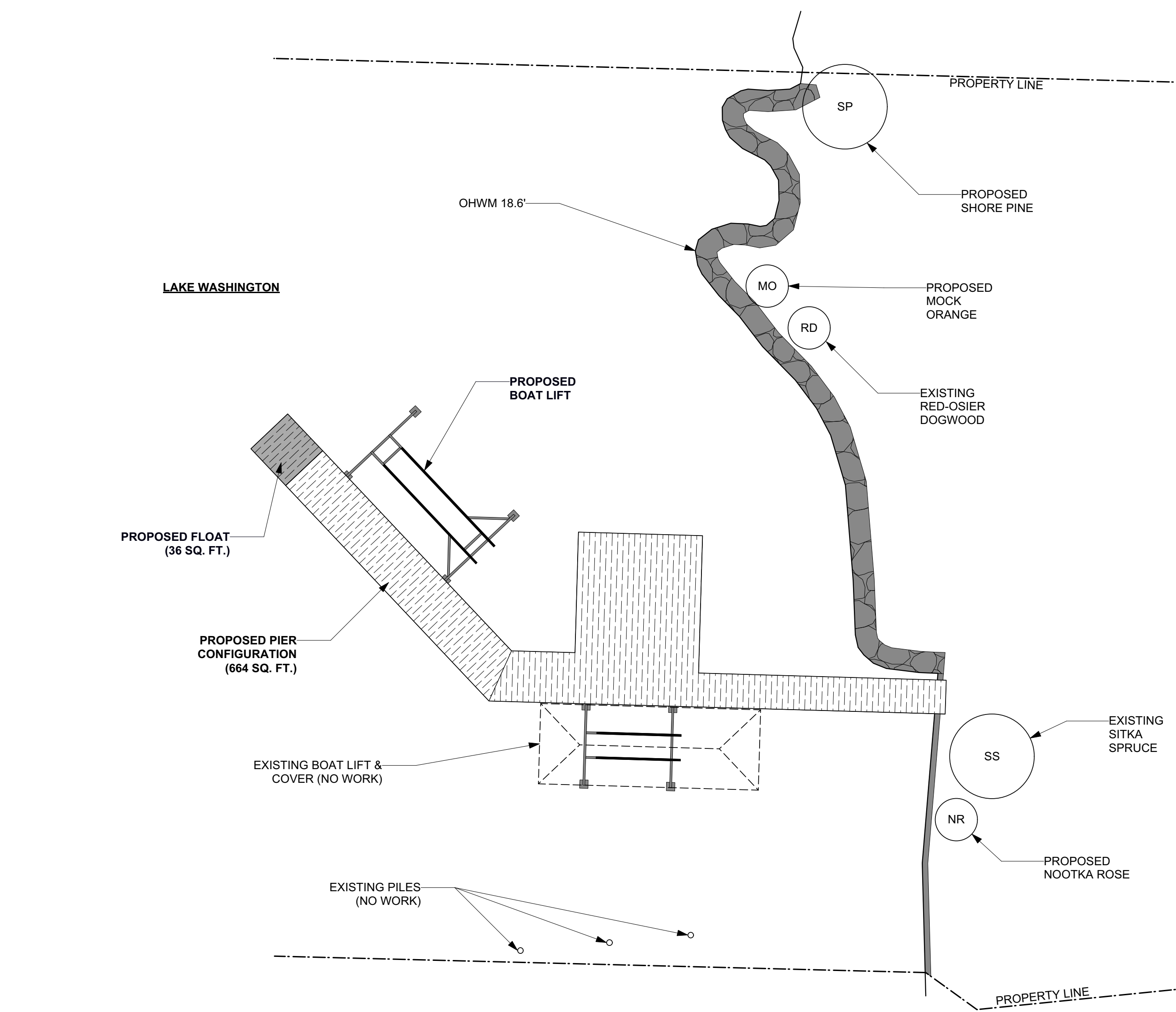
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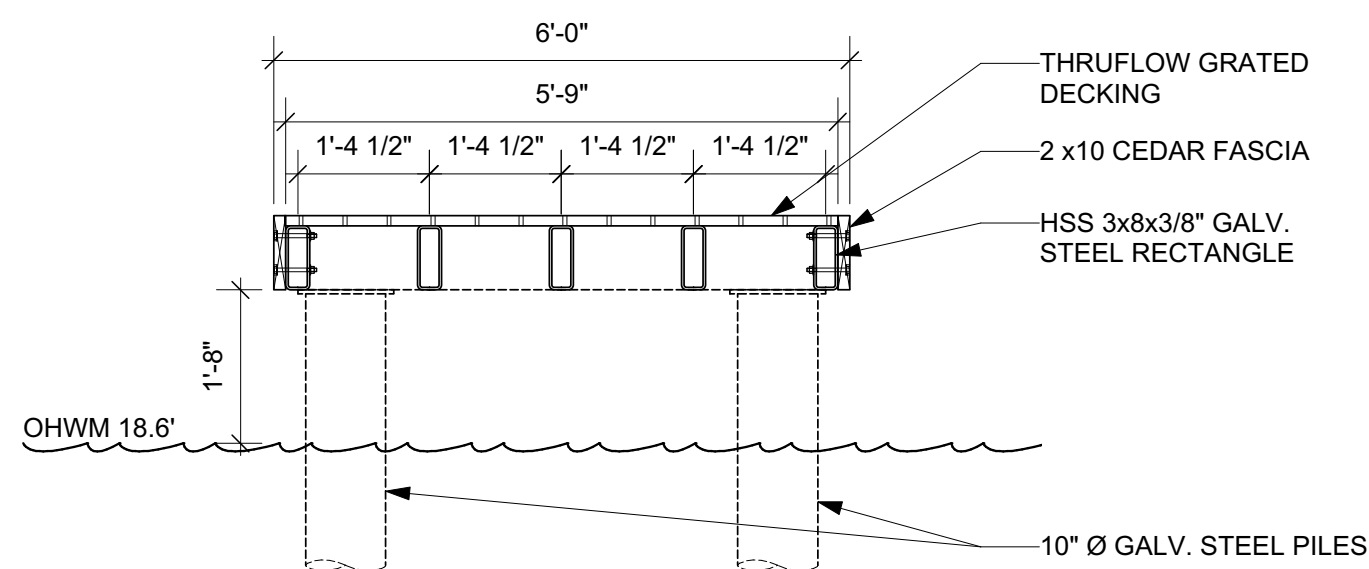
PIER ELEVATION
SCALE 1" = 10'-0"



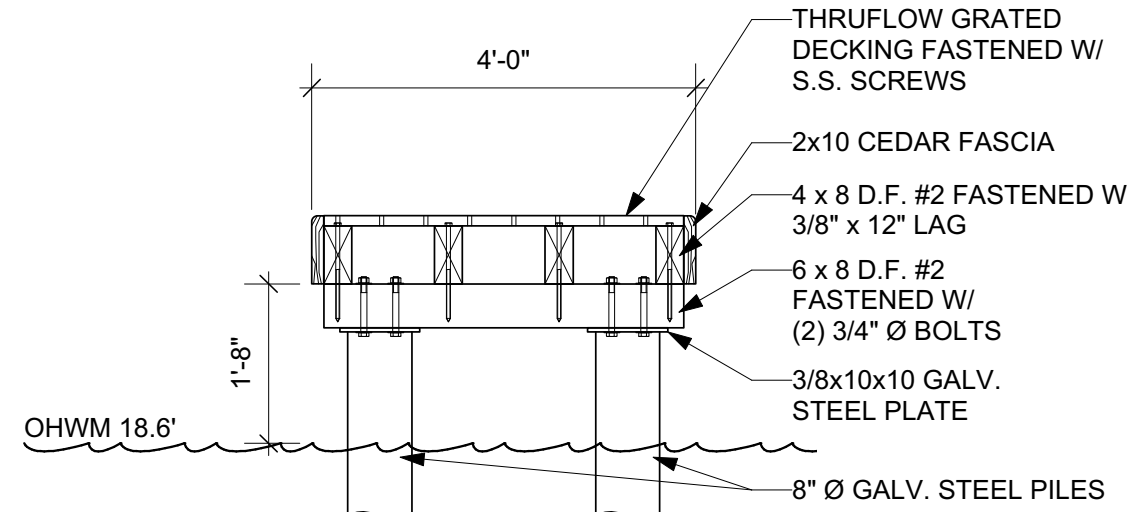
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PLANTING PLAN
SCALE 1" = 10'-0"



SECTION DETAIL B
SCALE 1/2" = 1'-0"



SECTION DETAIL A
SCALE 1/2" = 1'-0"

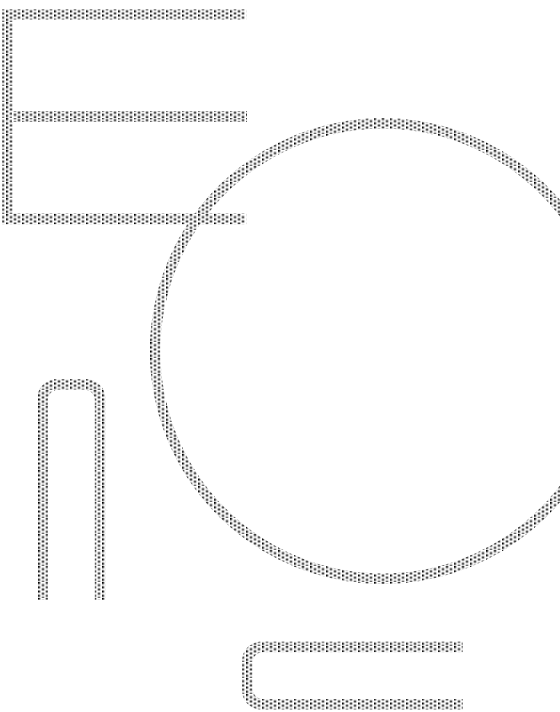


ECCO

Architecture & Design
203 N 36th Street, Ste. 201
Seattle, WA 98103

**ELEVATION
PLANTING PLAN
SECTIONS
PILE PLAN**

DATE: 3/28/2019
REVISIONS:



BOHLING PIER
6208 HAZELWOOD LN SE
BELLEVUE, WA 98006

A2.0